



SOUTHWESTERN PORTLAND CEMENT COMPANY
MOUNTAIN DIVISION

P.O. Box 51, Nephi, Utah 84648 • (801) 864-3803

August 14, 1987

RECEIVED

AUG 17 1987

DIVISION OF OIL
GAS & MINING

Dave Wham
Reclamation Hydrologist
Department of Natural Resources
Division of Oil, Gas, and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

SUBJECT: NIELSON SANDSTONE QUARRY BOND

Bond Number -
Permit Number- M/023/012

EXHIBIT "A"

The disturbed land to be covered by the above bond is located in the Southeast and Northeast $\frac{1}{4}$ of section 11, township 14 south, range 3 west in Juab County. Mining is to take place in Claims SS #5, 6, 8, 9, and 12. Future quarry operations will take place in SS #7, 10, and 13. (See Mining Plan). Any future concerns or questions should be directed to my attention.

Sincerely,

A handwritten signature in dark ink, appearing to read "Terry R. Kerby", written over a horizontal line.

Terry R. Kerby, Plant Designer
SOUTHWESTERN PORTLAND CEMENT COMPANY

TRK/ea


cc

Bob Weeks
Susan Rassmussen

CERTIFICATE OF CORPORATE RESOLUTIONS
OF
SOUTHWESTERN CEMENT ENTERPRISES, INC.

The undersigned hereby certifies that he is the duly elected, qualified and acting Assistant Secretary of Southwestern Cement Enterprises, Inc., a Delaware corporation, ("Company"), and as such is familiar with the facts herein certified and is duly authorized to certify the same, and hereby further certifies that the resolution attached hereto as Exhibit A was duly adopted at a meeting of the Board of Directors of the Company held on March 6, 1990, throughout which meeting a quorum was present and voting at all times, and that such resolution has not been amended or rescinded and is in full force and effect at the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Company this 6th, day of MARCH, 1990.

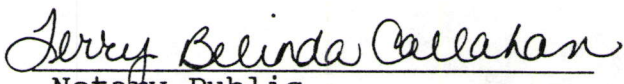


Assistant Secretary
Southwestern Cement Enterprises, Inc.

STATE OF Texas)
COUNTY OF Harris) :ss.

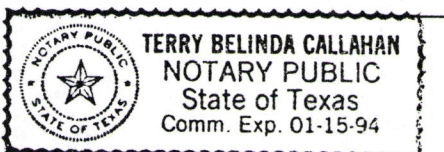
BEFORE ME, the undersigned authority, on this day personally appeared _____, Wendell E. Phillips, II Assistant Secretary of Southwestern Cement Enterprises, Inc. a Delaware corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of Southwestern Cement Enterprises, Inc.

Given under my hand and seal of office on this the 6th day of March, 1990.



Notary Public
Residing at: Harris County

My Commission Expires:



SOUTHWESTERN CEMENT ENTERPRISES, INC.

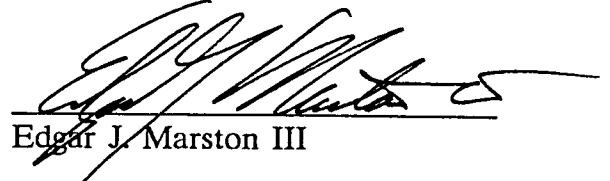
UNANIMOUS WRITTEN CONSENT
OF DIRECTORS

The undersigned, being all of the directors of Southwestern Cement Enterprises, Inc. ("Company"), a Delaware corporation, do hereby consent to the adoption of the resolutions annexed hereto as Exhibit A, to the same extent and with the same force and effect as if adopted at a meeting of the Board of Directors, duly called and held for the purpose of acting on proposals to adopt such resolutions.

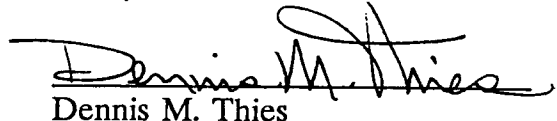
Effective this 6th day of March, 1990.



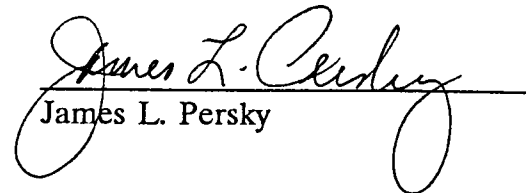
Clarence C. Comer



Edgar J. Marston III



Dennis M. Thies



James L. Persky

EXHIBIT A

WHEREAS, Southwestern Cement Enterprises, Inc. ("Company") entered into a Lease and Purchase Option Agreement dated March 21, 1984 ("Agreement") with Martin Marietta Corporation, a Maryland corporation ("Martin"), pursuant to which the Company leased from Martin its existing cement plant and related facilities in Leamington, Utah ("Plant"); and

WHEREAS, Martin conducted mining and reclamation operations at the Plant under a Plan of Operations submitted to the United States Forest Service ("USFS") on September 18, 1979 ("Plan of Operations"), which was approved by the USFS in a letter to Martin dated March 14, 1980 and Utah Division of Oil, Gas & Mining ("DOGM") approved Notice of Intention to Conduct Mining Operations (N/I); and

WHEREAS, Martin transferred to the Company and the Company accepted Martin's authorization to conduct such mining and reclamation operations at the Plant and all responsibilities specified in the Plan of Operations and in the USFS letter approving the Plan of Operations, and the DOGM N/I, for so long as Southwestern operated the Plant; and

WHEREAS, the Agreement was terminated and Company surrendered the Plant; and

WHEREAS, Martin Marietta Corporation conveyed the Plant to Ash Grove Cement West, Inc. under Agreement to Purchase and Sell Assets dated as of May 8, 1989.

NOW, THEREFORE, BE IT RESOLVED, that the appropriate officers are hereby authorized on behalf of Company to execute, deliver and

file with the appropriate officials of United States Forest Service ("USFS") and State of Utah, Division of Oil, Gas and Mining ("DOGM") all transfer documents required to effect a transfer of authority to operate mining and reclamation operations at the Plant from Company to Ash Grove Cement West, Inc. under the described USFS Plan of Operations and DOGM N/I effective as of May 8, 1989.

CERTIFICATE OF RESOLUTIONS AND INCUMBENCY

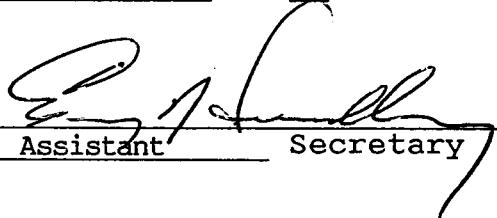
I, the undersigned Assistant Secretary of Ash Grove Cement West, Inc., a Nevada corporation (herein called the "Corporation"), do hereby certify that the following person at all relevant times was and is duly elected to the position listed next to his name, was and is qualified to hold that position, and was and is fully authorized and empowered to execute the instruments and to act for and bind the Corporation for the purposes stated in the Resolution, attached as Exhibit A, and said person now holds that position:

George M. Wells

President

I am authorized to execute and deliver this certificate on behalf of Ash Grove Cement West, Inc.

EXECUTED this 14th day of March, 1990

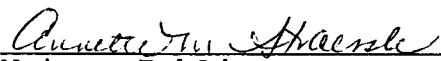


Assistant Secretary

STATE OF Oregon)
) :ss.
COUNTY OF Multnomah)

BEFORE ME, the undersigned authority, on this day personally appeared Emery N. Sundberg, Assistant Secretary of Ash Grove Cement West, Inc. a Nevada corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of Ash Grove Cement West, Inc.

Given under my hand and seal of office on this the 14th day of March, 1990.



Notary Public
Residing at: Portland Or

My Commission Expires:
MY COMMISSION EXPIRES 10/12/91

EXHIBIT A

WHEREAS, ASH GROVE CEMENT WEST, INC., by Agreement to Purchase and Sell Assets ("Agreement") between Ash Grove Cement West, Inc. ("Ash Grove") and Martin Marietta Corporation ("Martin"), has acquired title to the existing cement plant and related facilities near Leamington, Utah ("Plant"); and

WHEREAS, Martin conducted mining and reclamation operations at the Plant under a Plan of Operations submitted to the United States Forest Service ("USFS") on September 18, 1979 (Plan of Operations) and approved by the USFS by letter to Martin dated March 14, 1980; and

WHEREAS, Martin also held an approved Notice of Intention to Commence Mining Operations, ACT/023/004 from the State of Utah, Division of Oil, Gas and Mining ("DOGM"); and

WHEREAS, both the USFS Plan of Operations and the DOGM Notice of Intention were subsequently transferred (and such transfers approved by both agencies) to Martin's Lessee, Southwestern Cement Enterprises Inc. ("Southwestern"); and

WHEREAS, Southwestern now desires to transfer to Ash Grove and Ash Grove desires to accept the authority under the USFS Plan of Operations and the DOGM Notice of Intention to conduct mining and reclamation operations pursuant thereto.

NOW, THEREFORE, BE IT RESOLVED, that the president of Ash Grove is hereby authorized to take such action and execute all documents as may be necessary to transfer the USFS Plan of Operations and the DOGM Notice of Intention to Ash Grove and to commit Ash Grove to comply with all obligations and

responsibilities specified or included in the USFS Plan of Operations and the DOGM Notice of Intention effective as of May 8, 1989; and that the Secretary of Ash Grove is hereby authorized to certify as to the adoption of these resolutions and the authority of the president to take the described actions and execute all necessary documents.